

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RYAN BROWN,

Plaintiff,

v.

Case No. 14-13922

OAKLAND COUNTY JAIL,

HON. TERRENCE G. BERG  
HON. R. STEVEN WHALEN

Defendant.

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**OPINION AND ORDER ADOPTING REPORT AND  
RECOMMENDATION (DKT. 26)**

This matter is before the Court on Magistrate Judge R. Steven Whalen's August 12, 2016 Report and Recommendation (Dkt. 26), recommending that Defendant's Motion to Dismiss for Failure to Prosecute (Dkt. 19) be DENIED.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of August 12, 2016 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Whalen's Report and Recommendation of August 12, 2016 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant's Motion to Dismiss for Failure to Prosecute is **DENIED**.

**SO ORDERED.**

Dated: September 6, 2016

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

**Certificate of Service**

I hereby certify that this Order was electronically submitted on September 6, 2016, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb  
Case Manager